
In Re:

Chapter 7

ABDUL JAFIQ,

Case No. 09-42647 (ESS)

Debtor.

**AFFIRMATION IN SUPPORT OF TRUSTEE'S MOTION FOR ORDER
TO APPROVE PROPOSED SALE**

**TO THE HONORABLE ELIZABETH S. STONG,
UNITED STATES BANKRUPTCY JUDGE:**

ROBERT L. GELTZER, ESQ., Chapter 7 trustee (the "Trustee") in the above referenced matter, by his attorneys, the Law Offices of Robert L. Geltzer, represents as follows: affirms under the penalties of perjury, the following to be true to the best of his information and belief:

1. The Debtor (the "Debtor"), commenced this case by filing a voluntary petition under Chapter 7 of Title 11 of the United States Bankruptcy Code (the "Bankruptcy Code") on April 4, 2009.

2. The Trustee was appointed interim trustee on or about April 6, 2009, duly qualified, became permanent trustee by operation of law, and is serving in such capacity.

3. This is an application to sell, consistent with the annexed Stipulation of Settlement, marked as Exhibit "A," all the Trustee's right, title and interest in certain assets of the Debtor consisting of a 2003 Pathfinder vehicle, bearing VIN# JN8DR09Y63W819343 (the "Property"), which upon information and belief, is in the possession of M.Y.C., located at 1110 South Avenue, Suite 61, Staten Island, New York 10314, for the sum of \$6,500.00, to Jessica LaMarsh (the "Buyer") who resides at 937 Rathbun Avenue, Staten Island, New York 10309. The Trustee is making no representation in regard to the sale of this Property and is selling all of his right, title and interest, if any, in said Property as is.

4. According to the Kelley Blue Book the Property has an approximate market value of \$11,445.00, and no liens attach to it. After taking to account an exemption of \$2,400.00 to which the Debtor would be entitled, and the cost of storing the Property in order to

conduct an auction of it, and the cost attendant to such an auction, there would appear to be insufficient equity to warrant any sale other than the Trustee's interest to the Buyer for \$6,500.00 which is already in the Trustee's possession and reposes in Union Bank of California account #*****4280 which the Trustee maintains on behalf of the estate, subject to this Court's approval of this application, which sum will be returned to the Buyer if the Court does not approve the sale.

5. When an Order is signed by a United States Bankruptcy Judge, the Trustee will be deemed to have automatically sold the Property to the Buyer and the Trustee shall have no further interest in, and to, the Property.

6. The settlement provides the estate with an immediate recovery.

7. Consequently, the Trustee believes that the offer of \$6,500.00 for the benefit of the Estate is fair and reasonable under the circumstances and in the best interest of the Estate.

WHEREFORE, it is respectfully requested that this application to sell the Trustee's interest in said Property as aforesaid be granted.

Dated: September 8, 2009
New York, New York

The Law Offices of
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By: /s/ Robert L. Geltzer
ROBERT L. GELTZER (RG 4656)